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UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY
AND DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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#16

In re Application of
Andreas BOSIO et al.
Serial No.: 09/701,584
Filed: February 1, 2001
Attorney Docket No.: P66095US0


This is in response to "Petition to restart The Period for Reply Under 37 CFR 1.181 (MPEP 710.06)" filed November 4, 2002, requesting to restart the time period for response set in the Office action due to late receipt of the Office action.

On October 2, 2002, an Office action was mailed. On November 4, the present petition was filed. Applicants assert that the Office action was received on October 31, 2002. The petition is accompanied with a copy of the backside of the Office action cover page showing the date stamp of receipt.

Applicant's statement and evidence have been carefully considered. The Office action dated October 2, 2002 was received within one month of the mailing date. More than a month of a two or three month time period set for reply must have elapsed to be considered as significant delay. See MPEP 710.06. Therefore, not all requirements for reset a time period for reply are met. Accordingly, the Petition is Denied.

Petition DENIED.

Should there be any questions regarding this communication, please contact Cecilia Tsang by mail addressed to Director, Technology Center 1600, Washington, D.C. 20231, or by telephone at (703) 308-0254 or by facsimile transmission at (703) 305-7230.

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